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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,599	12/13/2001	Thomas R. Neuenschwander	LHC0091-08	5277

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EXAMINER

TAMAI, KARL I

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,599

Applicant(s)

NEUENSCHWANDER, THOMAS R.

Examiner

Tamai IE Karl

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5&9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claim 44 is objected to because of the following informalities: it depends from itself. Appropriate correction is required. The examiner assumed that claim 44 depends from claim 43, for the purposes of examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sliwiak (US 2,671,951) and Steiner (US 5,627,424). Sliwiak teaches a laminated core with interlocking tabs/slots near the ends and protrusion on the narrow ends. Sliwiak does not teach the core being cylindrical (squared laminations) and the end lamination not having a tab or slot. Steiner teaches the narrow end are of the lamination are squared with either an end protrusion 39 or tab 41 on a substantially cylindrical core. The cylindrical core having decreasing width laminations ro. It would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the core of Sliwiak with the protrusion or groove of Steiner to provide a low cost and improved method of production.

4. Claims 36, 37, 41, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sliwiak (US 2,671,951) and Steiner (US 5,627,424), in further view of Merlano (US 5,671,526) and Burns (US 1,182,636). Sliwiak and Steiner teach every aspect of the invention except the core being cylindrical and the end lamination not having a tab or slot. Merlano teaches the end lamination not having a tab (see figure 13, also col. 4. line 40) to provide nesting and lateral friction of the laminations. Burns shows the cross section of the core is cylindrical to receive a cylindrically wound coil. It would have been obvious to a person of ordinary skill in the art at the time of the invention to construct the core of Sliwiak and Steiner with the end lamination not having a tab to allow nesting with lateral friction, and with the cylindrical core of Burns to allow use of a cylindrically wound coil.

Claims 43 and 44 are rejected as a product by a process claims as merely being process claims to produce the product set forth as above. See MPEP 2113.

5. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sliwiak (US 2,671,951), Steiner (US 5,627,424), Merlano (US 5,671,526) and Burns (US 1,182,636), in further view of Allen et al.(Allen)(US 5,777,537). Sliwiak, Steiner, Merlano, and Burns teach every aspect of the invention except, the length of the lamination is along the grain. Allen teaches a laminated core having the grain oriented along the flux path and the laminations are coated to provide insulation (inherently dielectric) from one another to reduce conductivity between the laminations. It would have been obvious to a person skilled in the art at the time of the invention to construct the laminated core of Sliwiak, Steiner, Merlano, and Burns with the

laminations coated with a dielectric because Allen teaches that insulating the laminations reduced losses from core losses from conductivity between the laminations.

Double Patenting

6. The double patenting rejection of Claim 36-39 is withdrawn because the applicant filed a terminal disclaimer.

Response to Arguments

7. Applicant's arguments filed 12/9/02 have been fully considered but they are moot in view of the new ground of rejection.

Conclusion

8. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703) 308-1371. The facsimile number for the Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Karl I Tamai
PRIMARY PATENT EXAMINER
February 13, 2003


KARL TAMAI
PRIMARY EXAMINER